UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/2001/81
22 December 2000

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fifty-seventh session
Item 14 (b) of the provisional agenda

SPECIFIC GROUPS AND INDIVIDUALS

MINORITIES

Rights of persons belonging to national or ethnic, religious and linguistic minorities

Report of the Secretary-General

I. Introduction

1. In its resolution 2000/52, the Commission on Human Rights, called upon the Secretary-General to make available, at the request of Governments concerned, qualified expertise on minority issues; requested the Working Group on Minorities to contribute to and participate in the preparations for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance; called upon States, intergovernmental organizations, United Nations bodies and non-governmental organizations to participate actively in the work of the Working Group; called upon States to facilitate the effective participation of representatives of non-governmental organizations and persons belonging to minorities in the work of the Working Group and invited the High Commissioner for Human Rights to seek voluntary contributions in that regard; invited the Office of the High Commissioner for Human Rights to consider favourably the recommendation of the Working Group to organize a seminar for representatives of international and regional organizations, to discuss issues concerning their respective work on the protection of minorities; requested the Secretary-General to provide the Working Group with all the necessary services and facilities to fulfil its mandate; and requested the Secretary-General to report to the Commission at its fifty-seventh session on the implementation of the resolution.

2. The present report is submitted in accordance with the aforementioned resolution.

II. Expertise on minority issues, to be made available to Governments, including on the prevention and resolution of disputes, to assist in existing or potential situations involving minorities

3. As was highlighted by the High Commissioner in her report to the fifty-sixth session of the Commission on Human Rights (E/CN.4/2000/12), stringent measures are required to meet the challenge of reducing tensions and violence based upon ethnic, racial or xenophobic conflicts. She indicated that such activities should include: preventive diplomacy; early warning mechanisms; promotion of tolerance through human rights education; support to democratic institutions through the better representation of all segments of society; affirmative action and the promotion of multiculturalism.

4. The Office of the High Commissioner for Human Rights (OHCHR) provides technical assistance to Governments, at their request, to address, inter alia, minority issues, the strengthening of human rights protection and the prevention of human rights violations. This may be viewed within the broader context of United Nations system-wide efforts to establish a more effective response for long-term conflict prevention. In this regard, it is of interest to refer to the comments contained in the Secretary-General's Millennium Report (A/54/2000), as reiterated in the report of the Panel on United Nations Peace Operations (the "Brahimi report") (A/55/305-S/2000/809) according to which "in many cases of internal conflict 'poverty is coupled with sharp ethnic and religious cleavages' in which minority rights 'are insufficiently respected [and] the institutions of government are insufficiently inclusive'. Long-term preventive strategies in such instances must therefore work 'to promote human rights, to protect minority rights and to institute political arrangements in which all groups are represented ...'. Every group needs to become convinced that the State belongs to all people" (Ibid., para. 29).

5. Similar emphasis was given to these matters in the United Nations Millennium Declaration (General Assembly resolution 55/2), in which the participants at the Millennium Summit expressed the resolve " ... to strengthen the capacity of all our countries to implement the principles and practices of democracy and respect for human rights, including minority rights" (para. 25).

III. World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

6. The Working Group on Minorities, at its sixth session in May 2000, discussed its contribution to the World Conference. During this discussion a paper was submitted that addressed such matters as the relationship between racism, the protection of the rights of minorities and the work of national institutions.[1] The discussion was summarized in the report

---

[1] Working paper presented by the observer for the Swiss Federal Commission against Racism (E/CN.4/Sub.2/AC.5/2000/WP.6).

of the Working Group (E/CN.4/Sub.2/2000/27). It concluded with the recommendation that the Working Group's Chairperson-Rapporteur should prepare a statement to be delivered at the World Conference that would focus on the relationship between the elimination of racial discrimination and the protection of minorities.

IV. Participation in the Working Group on Minorities and manual on the Declaration on the Rights of Persons Belonging to National or Ethnic,Religious and Linguistic Minorities

7. The Office of the High Commissioner continues to take action to implement the recommendations of the Commission on Human Rights calling for greater participation of minority representatives in sessions of the Working Group on Minorities and for voluntary contributions to be made in that regard.

8. OHCHR has also proposed that a manual on minority issues be prepared and published, preferably in time for the World Conference which is to be held in Durban, South Africa, from 31 August to 7 September 2001. The manual is expected to include the text of the Declaration on National or Ethnic, Religious and Linguistic Minorities as well as the Commentary on the Declaration prepared by the Chairperson-Rapporteur of the Working Group on Minorities.

V. Promotion of the implementation of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, including the holding of regional and expert seminars

9. As a means of further promoting awareness of the "Declaration on Minorities" and the Working Group, the first regional seminar of the Working Group was held from 13 to 15 May 2000, in Arusha, United Republic of Tanzania. Its emphasis was on "Multiculturalism in Africa: peaceful and constructive group accommodation in situations involving minorities and indigenous peoples."[2] This seminar was also supported by the Working Group on Indigenous Populations and was organized with the assistance of the International Centre for Ethnic Studies. Participants came from various subregions of Africa and observers from other regions of the world; they were later present at the sixth session of the Working Group on Minorities, held from 22 to 26 May 2000 in Geneva.

10. At the seminar, participants raised issues relating to education and the effective political participation of minorities and offered various recommendations for action. They identified lack of access to political power, decision-making, basic services and resources as crucial factors in characterizing minorities. They drew attention to the reality of multicultural and multi-ethnic States prevailing in the African region and noted that the representation of all groups in the democratic process had to be respected and ensured. Access to education was identified as a major issue. It was suggested that education needed to be relevant and allow groups the opportunity to develop their culture and learn their language. Participants also recommended

---

[2] See E/CN.4/Sub.2/AC.5/2000/WP.3.

that minorities be consulted when development policies were being formulated and implemented and that they should share in the benefits of development. They also suggested that a further seminar be held in the region and that future seminars would benefit from the participation of African Governments, non-governmental organizations, indigenous peoples, minorities and the academic community to further understanding about indigenous and minority issues in Africa. Moreover, they requested the United Nations to consider establishing a fund to assist representatives of minorities to attend the Working Group on Minorities, as had been established for the Working Group on Indigenous Populations.

11. The participation of persons belonging to minorities in public and political life, with particular attention being devoted to the question of integrative and autonomist approaches to minority protection, was selected as a topic for specific discussion at the Working Group's seventh session. To assist in that discussion, working papers were requested, covering such topics as relevant jurisprudence at the regional and global levels and selected models of integrative and autonomist solutions (see E/CN.4/Sub.2/2000/27).

VI. Organization of a seminar for representatives of international and regional organizations and treaty bodies to discuss issues concerning their respective work on the protection of minorities

12. The Commission on Human Rights has requested that treaty bodies, special rapporteurs and working groups of the Commission give particular attention to questions relating to the situation of minorities. In that connection, the Commission may wish to note, in particular, that the Committee on the Elimination of Racial Discrimination held its first day of general discussion on the situation of the Roma, following which the Committee adopted its General recommendation XXVII on discrimination against Roma (A/55/18, annex V).

13. In its resolution 2000/52, the Commission on Human Rights invited OHCHR to consider favourably the recommendation of the Working Group to organize a seminar for representatives of international and regional organizations, treaty bodies and specialized agencies to, inter alia, discuss issues concerning their respective work on the protection of minorities. The Office is examining this recommendation in depth and one of the possibilities being considered is the holding of a two-day seminar during the World Conference as, given the participation called for under the resolution, the World Conference may be the most feasible venue. Discussions at this seminar are expected to address: improving coordination so as to reduce duplication and parallel activities and ensuring the exchange of information on minority rights, particularly as it relates to best practices for the protection of minority rights.